

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

DEBORAH R. DOUGLAS (NYBN 2099372)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Facsimile: (415) 436-7234
E-Mail: deborah.r.douglas@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 12-820 EMC
)	
v.)	STIPULATION AND [PROPOSED]
)	ORDER EXCLUDING TIME UNDER THE
ANDRE VIDEAU,)	SPEEDY TRIAL ACT, 18 U.S.C. § 3161
)	<u>ET SEQ.</u>
Defendant.)	
_____)	

The United States of America, by and through its attorney of record, and defendant Anthony Decuir ("defendant"), by and through his attorney of record, hereby stipulate as follows:

1. On January 16, 2013, defendant appeared before the Honorable Edward M. Chen, United States District Judge, and the matter was continued to February 6, 2013 at 2:30 p.m. For the reasons stated in open court on January 16, 2013, and with defendant's consent, the Court excluded time under the Speedy Trial Act from January 16, 2013 through February 6, 2013 to provide the defense lawyer with additional time for investigation and for effective preparation.

2. The parties stipulate and agree that this matter should be continued to February 6, 2013 and that the failure to grant such a continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The parties further stipulate and agree that the time from January 16, 2013 through

February 6, 2013 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), on the basis that the ends of justice are served by taking such action which outweigh the best interest of the public and the defendant in a speedy trial and also under section (B)(iv) for effective preparation of counsel and continuity of counsel, taking into account the exercise of due diligence.

Dated: January 17, 2013

MELINDA HAAG
United States Attorney

/s/
DEBORAH R. DOUGLAS
Assistant United States Attorney

Dated: January 17, 2013

/s/
ELIZABETH FALK, Esq.
Attorney for Defendant Andre Videau

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

DEBORAH R. DOUGLAS (NYBN 2099372)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Facsimile: (415) 436-7234
E-Mail: deborah.r.douglas@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 12-820 EMC
)	
v.)	ORDER EXCLUDING TIME UNDER THE
)	SPEEDY TRIAL ACT, 18 U.S.C. § 3161 <u>ET</u>
ANDRE VIDEAU,)	<u>SEQ.</u>
)	
Defendant.)	

GOOD CAUSE APPEARING, as the Court found on January 16, 2013, and based upon the parties' stipulation, IT IS HEREBY ORDERED that the time from January 16, 2013 through February 6, 2013 shall be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). The Court finds that (A) failure to grant the continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence; and (B) the ends of justice served by the

1 continuance outweigh the best interests of the public and the defendant in a speedy trial. *See* 18
2 U.S.C. § 3161(h)(1)(7)(A) & (B)(iv).

3
4 **IT IS SO ORDERED.**

5
6 Dated: January ¹⁸____, 2013

7 ~~HONORABLE EDWARD M. CHEN~~
8 United States District Judge

